

Oct 29, 2024

s/ D. Olszewski

Deputy Clerk, U.S. District Court
Eastern District of Wisconsin

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF WISCONSIN

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)The person of LONDON T. DABNEY
(DOB: xx/xx/1988)

Case No. 24 MJ 234

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Eastern District of Wisconsin, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 922(g)(1)	Felon in Possession of Firearm

The application is based on these facts:
See attached affidavit.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Rodolfo Ayala, Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
_____ telephone _____ (specify reliable electronic means).

Date: 10/29/2024

Judge's signature

City and state: Milwaukee, Wisconsin

Honorable William E. Duffin, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Rodolfo Ayala, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant to collect an oral swab of DNA from London T. DABNEY (DOB: XX/XX/1988).

2. I am a Task Force Officer for Alcohol, Tobacco, Firearms and Explosives (ATF) Violent Impact Team and involved in the investigation of individuals prohibited from the possession of firearms.

3. I have worked full-time as a law enforcement officer for the past twenty two (22) years; and your affiant has been a deputized, full time Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives for the past fourteen (14) years. I am currently assigned to the Chicago Field Division-Milwaukee field office.

4. I have received training in the investigation of unlawful possession of firearms and possession of firearms by prohibited persons. I have been trained regarding firearm offenses and have arrested individuals for federal and state firearms related offenses. I have also investigated drug trafficking offenses at the state and federal level and have been involved in arresting individuals who violate the State of Wisconsin and/or the federal narcotics laws included in 21 U.S.C. § § 841 and 846. I have worked with local, state, and federal law enforcement agencies, investigating the possession, use, and trafficking of controlled substances and illegal weapons in the State of Wisconsin.

5. Information contained in this affidavit was either obtained directly by me or by other investigators who I believe to be truthful and credible. The facts in this affidavit come from personal observations, training and experience, and information obtained from other investigators and witnesses.

6. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

7. Based on the investigation to date, there is probable cause that London T. DABNEY (DOB: XX/XX/1988), on or about June 27, 2024, in Milwaukee County, in the Eastern District of Wisconsin, violated Title 18, United States Code, Section 922(g)(1) (Felon in Possession of Firearms). A Grand Jury sitting in this district returned an Indictment on October 16, 2024 against Dabney for the above offense. The assigned case number in this district is: 24-CR-197.

8. DNA swabs were taken from the Aero Precision, model X15 firearm described below in paragraph 12 during a traffic stop/accident at 3631 N. 11th Street in Milwaukee, Wisconsin. A DNA swab from Dabney as requested in this warrant will allow the State Crime Lab to attempt to determine if any traces of his DNA are on this firearm. If traces of Dabney's DNA is identified on the Aero Precision, model X15 firearm, such evidence will prove that Dabney did possess said firearm. No items in this case have previously been tested for DNA.

PROBABLE CAUSE

9. On June 26th, 2024, Milwaukee Police Officers responded to 4023 N. 13th Street in the City and County of Milwaukee for a Shotspotter complaint that indicated two (2) shots fired at that location. While doing so, Officers observed two vehicles racing each other southbound on N. 12th Street.

10. Officers noted that they observed the cars to be a black Audi and a blue Hyundai, and that the Audi vehicle was the lead vehicle. Officers activated their marked squad car's emergency lights and siren to stop the Audi vehicle in the 1000 block of W. Nash Street. The vehicle did not stop, disregarded a stop sign at N. 11th and Nash Street, attempted to turn, but slid out, striking an electrical pole at 3631 N. 11th Street.

11. London T. DABNEY (B/M, xx/xx/1988), the only occupant in the Audi vehicle, fled on foot from the crash, disregarding officers' commands to stop. DABNEY eventually slipped and fell in the middle of the road at 3619 N. 12th Street, where he was taken into custody.

12. Officers subsequently returned to the Audi vehicle and observed a black and gold "Aero Precision LLC", model X15, 7.69 mm semi-automatic (serial #X203032) rifle laying across the front passenger floorboard. The barrel of the rifle measured only 9 inches, when measured from closed breech to muzzle.

13. On February 22nd, 2024, DABNEY was convicted in the Circuit Court of Milwaukee County, in Case No.: 22CF2917 of the felony offense of Possession of a Firearm by a Felon, in violation of Wisconsin Statutes Section 941.29(1m)(a), and that said conviction remains of record and unreversed. This conviction prohibits DABNEY from possessing firearms.

14. I am requesting DNA samples from London T. DABNEY (DOB: XX/XX/1988), so that they may be compared to DNA samples taken from the Aero Precision, model X15 firearm to help constitute the possession of the Aero Precision, model X15 firearm, which may constitute evidence of the crime of Felon In Possession of a Firearm, contrary to violated Title 18, United States Code, Section 922(g)(1)

15. Affiant knows that saliva samples may be seized from the person of London T. DABNEY (DOB: XX/XX/1988), in a painless fashion (gently swabbing or rubbing the inside of

the mouth with a buccal swab) by a qualified individual. Therefore, affiant requests that a search warrant be issued for the seizure of biological specimens by use of buccal swabs from the body of London T. DABNEY (DOB: XX/XX/1988). Such evidence will then be conveyed by a law enforcement officer to the Wisconsin Regional Crime Laboratory for the purpose of analysis by forensic scientists.

16. Affiant knows that London T. DABNEY (DOB: XX/XX/1988), is currently in custody at the Milwaukee County Justice Facility located at 949 N 9th Street, Milwaukee Wisconsin.

ATTACHMENT A
Person to be searched

The person to be searched is London T. Dabney (DOB: XX/XX/1988).

ATTACHMENT B
Property to be seized

The property to be seized is saliva containing epithelial cells by buccal swab.